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Employment Practices

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Employment Practices

Employment Practices; religious discrimination

Government Code §§12926, 12940 (amended).

AB 1180 (Hayden); 1985 STAT. Ch 1151

Support: State and Community Services Agency

Under existing law an employer¹ may not discriminate in employment because of the religious creed of any person.² Chapter 1151 prohibits discrimination in employment caused by a conflict between an employment requirement and a person's religious observances,³ unless the employer has explored any reasonable means of accommodating the religious observance, but is unable to accommodate the employee without causing undue hardship on the business.⁴

1. Employer means any person regularly employing five or more persons, or any person acting as an agent of an employer, or the state, or any political or civil subdivision. CAL. GOVT. CODE §12926(c).

2. *Id.* §12940(a). An employer may not discriminate on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, or sex, unless based upon a bona fide occupational qualification, or applicable security regulation. *Id.*

3. Religious observance includes all aspects of religious belief and practice. *Id.* §12926(i).

4. *Id.* §12940(k).

